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d/b/a Glidewell Laboratories

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9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA  
11 SOUTHERN DIVISION

12 JAMES R. GLIDEWELL DENTAL  
CERAMICS, INC.,

13 Plaintiff,

14 vs.

15 KEATING DENTAL ARTS, INC.,

16 Defendant.

Case No. SACV11-01309-DOC(ANx)

**[PROPOSED] ORDER RE JAMES R.  
GLIDEWELL DENTAL CERAMICS,  
INC.'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT RE  
TRADEMARK MISUSE, UNFAIR  
COMPETITION, UNCLEAN HANDS,  
FAIR USE, AND ESTOPPEL**

Hearing

Date: December 17, 2012  
Time: 8:30 a.m.  
Ctrm: 9D, Hon. David O. Carter

Pre-Trial Conf.: January 28, 2013  
Jury Trial: February 26, 2013

18 AND RELATED  
19 COUNTERCLAIMS.

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

This Court having considered Plaintiff James R. Glidewell Dental Ceramics, Inc.'s ("Plaintiff") Motion for Partial Summary Judgment re Trademark Misuse, Unfair Competition, and Unclean Hands, and good cause appearing, IT IS HEREBY ORDERED that:

1. Partial summary judgment is hereby GRANTED in favor of Plaintiff and against defendant Keating Dental Arts, Inc. ("Defendant") on Defendant's Second Counterclaim for Unfair Competition Under California Business & Professions Code 17200 et. seq. and California Common Law;

2. Partial summary judgment is hereby GRANTED in favor of Plaintiff and against Defendant on Defendant's Third Counterclaim for Misuse of Trademark;

3. Partial summary judgment is hereby GRANTED in favor of Plaintiff and against Defendant on Defendant's Third Affirmative Defense of Estoppel;

4. Partial summary judgment is hereby GRANTED in favor of Plaintiff and against Defendant on Defendant's Fourth Affirmative Defense of for Misuse of Misuse of Trademark/Unclean Hands/Unfair Competition; and

5. Partial summary judgment is hereby GRANTED in favor of Plaintiff and against Defendant on Defendant's Fifth Affirmative Defense of Fair Use.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable David O. Carter  
United States District Judge

***Glidewell Laboratories v. Keating Dental Arts, Inc.***  
**United States District Court, Central, Case No. SACV11-01309-DOC (ANx)**

**CERTIFICATE OF SERVICE**

I hereby certify that on November 19, 2012, I electronically filed the document described as **[PROPOSED] ORDER RE JAMES R. GLIDEWELL DENTAL CERAMICS, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT RE TRADEMARK MISUSE, UNFAIR COMPETITION, UNCLEAN HANDS, FAIR USE, AND ESTOPPEL** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

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Dated: November 19, 2012

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